

# UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

FILED  
U.S. DISTRICT COURT  
BRUNSWICK DIV.

2008 MAR 12 A 9 27

United States of America

v.

Melvin Cleveland

Date of Previous Judgment: August 18, 1995  
(Use Date of Last Amended Judgment if Applicable)

Case No: CR495-00010-002

USM No: 08782-021

James Moss

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 38

Amended Offense Level: 38

Criminal History Category: I

Criminal History Category: I

Previous Guideline Range: 235 to 293 months

Amended Guideline Range: 235 to 293 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

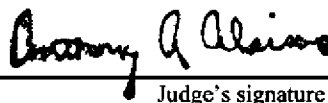
### III. ADDITIONAL COMMENTS

The retroactive amendment is not applicable to this defendant because his offense level was calculated based on quantities of cocaine hydrochloride and not cocaine base.

Except as provided above, all provisions of the judgment dated August 18, 1995, shall remain in effect.

IT IS SO ORDERED.

Order Date: March 12, 2008

  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Judge, U.S. District Court  
Printed name and title